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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RYAN RAY TETIRICK,
15 Defendant.

Case No. 3:17-CR-049-LRH-WGC

**STIPULATION TO CONTINUE
MOTION DEADLINES AND TRIAL
DATES**
(Fourth Request)

16
17 IT IS HEREBY STIPULATED AND AGREED, by and between DAYLE ELIESON,
18 United States Attorney, and SHANNON BRYANT, Assistant United States Attorney, counsel
19 for the United States of America, and RENE L. VALLADARES, Federal Public Defender, and
20 CHRISTOPHER P. FREY, Assistant Federal Public Defender, counsel for RYAN RAY
21 TETIRICK, that the calendar call currently scheduled for March 15, 2018 at 8:30 a.m. be
22 vacated and continued to **June 7, 2018, at 8:30 a.m.** and the trial scheduled for March 27, 2018
23 at 8:30 a.m., be vacated and continued to **June 19, 2018 at 8:30 a.m.**

24 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to
25 and including **May 7, 2018**, to file any and all pretrial motions and notices of defense.
26

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
2 shall have to and including **May 21, 2018**, to file any and all responsive pleadings.

3 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they
4 shall have to and including **May 28, 2018**, to file any and all replies to dispositive motions.

5 The Stipulation is entered into for the following reasons:

6 1. The defendant is currently in custody but does not oppose the requested
7 continuance of his jury trial.

8 2. The additional time requested herein is not sought for purposes of delay, but
9 merely to allow counsel for the defendant sufficient time to consult with his client regarding
10 the charges, the facts and circumstances surrounding the offense, dispositive motions, legal
11 defenses, and the United States Sentencing Guidelines and how they will impact the District
12 Court's sentencing decision should the defendant enter a change of plea.

13 3. That should a resolution of this matter not be reached between the parties, defense
14 counsel requires additional time within which to complete the investigation and to prepare legal
15 defenses. Such an investigation will require interviewing witnesses, serve subpoenas, discuss
16 key legal concepts and strategy with the defendant, and to investigate potential mitigation
17 evidence.

18 4. Denial of this request for continuance would deny counsel for the defendant
19 sufficient time to effectively and thoroughly prepare for this matter before the currently
20 scheduled jury trial, taking into account the exercise of due diligence.

21 5. The additional time requested by this Stipulation is excludable in computing the
22 time within which the trial herein must commence under the provisions of the Speedy Trial Act
23 pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and (B)(i)(iv), in that failure
24 to grant this continuance would result in a miscarriage of justice by denying counsel for the
25 defendant reasonable time necessary for effective preparation taking into account the exercise
26 of due diligence.

1 This is the fourth stipulation to continue filed herein.

2 DATED this 13th day of February, 2018.

3
4 RENE L. VALLADARES
Federal Public Defender

DAYLE ELIESON
United States Attorney

5
6 */s/ Christopher P. Frey*
By: _____

7 CHRISTOPHER P. FREY
Assistant Federal Public Defender
8 Counsel for Ryan Ray Tetirick

/s/ Shannon Bryant
By: _____

SHANNON BRYANT
Assistant United States Attorney
Counsel for the Government

ORDER

Based upon the reasons set forth in the forgoing stipulation of the parties, the time between the current trial date of March 27, 2018, to the new trial date of **June 19, 2018**, is excluded under the Speedy Trial Act, 18 USC 3161(h)(7)(A) and (7)(B)(i) and (iv) for effective preparation by counsel, taking into account the exercise of due diligence, and in the interests of justice, which outweigh the defendant's and the public's interest in a speedy trial.

IT IS THEREFORE ORDERED that the parties herein shall have to and including **May 7, 2018** to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including **May 21, 2018** to file any and all responses.

IT IS FURTHER ORDERED that the parties shall have to and including **May 28, 2018** to file any and all replies.

IT IS FURTHER ORDERED that the calendar call currently scheduled for March 15, 2018, at the hour of 8:30 a.m., be vacated and continued to **June 7, 2018 at 8:30 a.m.**; and the trial currently scheduled for March 27, 2018, 8:30 a.m., be vacated and continued to **June 19, 2018 at the hour of 8:30 a.m.**

The Court finds the need for this continuance outweighs the defendant's and the public's right to a speedy trial.

IT IS SO ORDERED this _____ day of February, 2018.

LARRY R. HICKS
UNITES STATES DISTRICT JUDGE